

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)
)
vs.)
)
CHRISTOPHER KELLY)

CR. NO. 19-CR-250-02-PB

**MOTION IN LIMINE
TO PRECLUDE TESTIMONY FROM WITNESSES
REGARDING HEARSAY**

NOW COMES the defendant, CHRISTOPHER KELLY, and, by and through his counsel, Patrick J. Richard, moves this Honorable Court, pursuant to Federal Rule of Criminal Procedure 12(b) and Federal Rule of Evidence 802, to preclude the testimony from witnesses that are not based on their own personal observations.

As grounds therefore it is stated that:

1. The defendant has been provided discovery indicating that witnesses who are alleged to know the defendant will testify in this matter;
2. Said witnesses may have information that is based on hearsay, rather than their own personal knowledge of events;
3. Such information was not observed by the witness first hand, but was taken in via information received from being told by others;
4. Such testimony is hearsay and not admissible pursuant to any federal statute or rule;
5. No legal memorandum accompanies this motion as the relief requested and reasons therefore are fully set out herein.

WHEREFORE, the Defendant requests this Court:

- A. Allow this motion to Preclude Testimony;
- B. Direct the United States to instruct it's witnesses against hearsay testimony;

C. Such other relief as the Court deems just and equitable.

Respectfully submitted
CHRISTOPHER KELLY
by his attorney,

/s/ Patrick J. Richard

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CERTIFICATION

I certify that a copy of the within Motion In Limine has been served upon all registered parties by ECF on February 22, 2021.

/s/ Patrick J. Richard
Patrick J. Richard